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ELECTRONICALLY FILED  
DOC#:  
DATE FILED: 12/29/2020

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WILSON TACURI, SECURI TACURI  
QUITO, *individually and on behalf of all  
others similarly situated,*

Plaintiffs,

v.

SAGGIO RESTAURANT INC., KALKIN  
NARVALIS, PEDRO NARVALIS,

Defendants.

No. 20-CV-5219 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

According to the Final Report of Mediator #4 filed on the docket, mediation was unsuccessful. It is hereby:

ORDERED that, to conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, that the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before Magistrate Judge Moses. If both parties consent to proceed before Judge Moses, they must, by January 13, 2021, submit to the Court a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a copy of which is available at <https://www.uscourts.gov/forms/civil-forms/notice-consent-and-reference-civil-action-magistrate-judge>. If the Court approves that form, all further proceedings will then be conducted before Judge Moses rather than before this Court. Any appeal would be taken directly to the United States Court of Appeals for the Second Circuit, as it would be from this Court if the consent form were not signed and so ordered. An information sheet on proceedings before magistrate judges is attached to this Order.

If any party does not consent to conducting all further proceedings before the Magistrate Judge, the parties must file a joint letter by no later than January 13, 2021 , advising the Court that the parties do not consent, **but without disclosing the identity of the party or parties who do not consent**. No adverse consequences will result from the withholding of that consent.

The parties are reminded that, in most cases, settlements of claims under the FLSA must be approved by the Court. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015).

SO ORDERED.

Dated: December 29, 2020  
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is written above a horizontal line.

Ronnie Abrams  
United States District Judge